IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.32490 of 2008
RAVINDRA MISHRA, SON OF SUKAN MISHRA, R/V DAMODARPUR MATHIA, P.S. MALAHI(GOBINDGANJ). DISTRICT EAST CHAMPARAN----------PETITIONER.
Versus
STATE OF BIHAR----------OPPOSITE PARTY.

For the Petitioner : Mr. Manoj Kumar Singh, Advocate.
For the Opposite Party : Mr. Nityanand Tiwary, APP.

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05. 05.12.2008. Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case under Section 302/34 of the Penal Code and Section 27 of the Arms Act and is named in the First Information Report along with eight others. It appears that petitioner is one of the assailants of the deceased. In the circumstance, when petitioner is in jail custody since 18.3.2008, I am not inclined to release him on bail and this application is, accordingly rejected.

However, considering the allegation, the court below (Chief Judicial Magistrate, Motihari, East Champaran) is directed to commit the case of the petitioner (Gobindganj(Malahi) P.S. Case No. 91 of 2007) to the court of Sessions if not already committed and thereafter proceed with the trial and conclude the same as early as possible in any case within a period of nine months from the date of commitment.

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(V.N.Sinha,J.)

Rajesh/